

FRISHAUF, HOLTZ, GOODMAN, LANGER & CHICK, P.C.  
ATTORNEYS AT LAW

767 THIRD AVENUE, NEW YORK, N.Y. 10017-2023

LEONARD HOLTZ  
HERBERT GOODMAN  
WILLIAM R. WOODWARD (1914-1994)  
THOMAS LANGER  
MARSHALL J. CHICK  
RICHARD S. BARTH  
DOUGLAS HOLTZ  
ROBERT P. MICHAL  
TELEPHONE: (212) 319-4900  
FACSIMILE: (212) 319-5101

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Date of Deposit: February 27, 2002

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Assistant Commissioner for Patents  
Washington, D.C. 20231

S. Dianne Franklin

Attorney Docket No. 00184D/LH

This is a request for filing a

Continuation       Divisional

application under 37 CFR 1.53(b), of pending prior application Serial Number 09/532,818  
filed on March 21, 2000

of (inventor(s)):    Tomio ENDO  
                      Yukio EDA  
                      Katsuya SADAMORI



01933

PATENT TRADEMARK OFFICE

ASSIGNMENT INFORMATION FOR PUBLICATION:

Assignee:    Olympus Optical Co., Ltd.

Address:    43-2, Hatagaya 2-chome, Shibuya-ku, Tokyo, Japan

entitled:    CONFOCAL MICROSCOPE

- 1a.  Enclosed is specification, claims and drawings of the continuation or divisional application with a copy of the Oath or Declaration in the prior application.
- 1b.  Enclosed is a copy of the prior application including a copy of the Post-filed Declaration and transmittal letter.
- 1c.  A Preliminary Amendment is enclosed.
- 1d.  Paper entitled Deletion of Inventor(s) Pursuant to 37 CFR 1.63(d)(2).
2.  FEE: The filing fee is calculated below:

Claims as filed, less any claims cancelled by amendment herewith:

Calculations	Number Filed	Number Extra	Rate
Total Claims	<u>7</u> -20 = <u>      </u>	x \$18.00 = <u>      </u>	\$ <u>      </u>
Independent Claims	<u>2</u> - 3 = <u>      </u>	x \$84.00 = <u>      </u>	\$ <u>      </u>
MULTIPLE DEPENDENT CLAIMS		+ \$280.00 = <u>      </u>	\$ <u>      </u>
		BASIC FEE	\$ <u>740.00</u>
		Total of above Calculations	\$ <u>740.00</u>

3.  To the extent not tendered by check, authorization is given to charge any fees under 37 CFR 1.16 and 1.17 during pendency of the application, or to credit any overpayment, to Deposit Account No. 06-1378. Duplicate copy of this letter is enclosed.
4.  A check in the amount of \$ 740.00 is enclosed.
5.  Cancel claims 1-7 of the prior application (see Preliminary Amendment filed concurrently herewith).

6. [X] Amend the specification by inserting before the first line the new paragraph:

This is a [ ] continuation, [X] division of  
application Serial Number 09/532,818 filed March 21, 2000.

7. [X] New formal drawings are enclosed. 14 Sheets, Figs. 1-22.

8. [X] The prior application is assigned to Olympus Optical Co., Ltd., Tokyo, Japan

9. [ ] Copies of Verified Statement(s) claiming Small Entity Status filed in said application Serial No. \_\_\_\_\_  
Small entity status is still proper and desired.

10. [X] Incorporation by Reference: The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 1a or 1b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

11. [X] The Power of Attorney in the prior application includes the following:

LEONARD HOLTZ, Reg. No. 22,974;  
THOMAS LANGER, Reg. No. 27,264  
RICHARD S. BARTH, Reg. No. 28,180  
ROBERT P. MICHAL, Reg. No. 35,614

HERBERT GOODMAN, Reg. No. 17,081  
MARSHALL J. CHICK, Reg. No. 26,853  
DOUGLAS HOLTZ, Reg. No. 33,902

- 12a. [X] The power appears in the original papers of the prior application.

- 12b. [ ] Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.

13. [X] Address all future communications to:

FRISHAUF, HOLTZ, GOODMAN, LANGER & CHICK, P.C.  
767 Third Avenue - 25th Floor  
New York, New York 10017-2023  
Tel. No. (212) 319-4900  
Fax. No. (212) 319-5101

14. [X] Priority claim (35 USC 119) is made based upon

Japanese Patent Application No. 11-078281	Filed: 23 March 1999
Japanese Patent Application No. 11-080026	Filed: 24 March 1999
Japanese Patent Application No. 11-080028	Filed: 24 March 1999
Japanese Patent Application No. 11-080202	Filed: 24 March 1999

Certified copy(ies) filed on March 21, 2000  
in said application Serial No. 09/532,818

15. [X] Information Disclosure Statement [X] PTO/SB/08A [X] PTO/SB/08B

16. [X] Letter to the Official Draftsperson

17. [X] Change of Correspondence Address Application

FRISHAUF, HOLTZ, GOODMAN, LANGER & CHICK, P.C.

By: LEONARD HOLTZ  
Reg. No.: 22,974

#2/drawings  
4/27/02  
C.Ruis

Attorney Docket No. 00184D/LH

**IN THE UNITED STATES PATENT  
AND TRADEMARK OFFICE**

Applicant(s): Tomio ENDO et al

Serial No. : To be assigned (Division of  
USSN 09/532,818, filed  
March 21, 2000)

Filed : Concurrently herewith

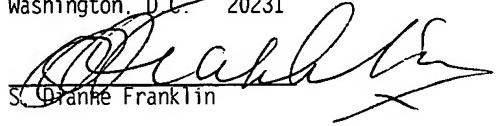
For : CONFOCAL MICROSCOPE

Prior  
Art Unit : 2872

Prior  
Examiner : T. Q. Nguyen

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Washington, D.C. 20231

S. Dranle Franklin

  
In the event that this Paper is late filed,  
and the necessary petition for extension of  
time is not filed concurrently herewith,  
please consider this as a Petition for the  
requisite extension of time, and to the  
extent not tendered by check attached  
hereto, authorization to charge the  
extension fee, or any other fee  
required in connection with this Paper  
to Account No. 06-1378.

**LETTER TO THE OFFICIAL DRAFTSPERSON  
SUBMISSION OF CORRECTED FORMAL DRAWINGS**

Assistant Commissioner for Patents  
Washington, D.C. 20231

S I R :

Submitted herewith are corrected sheets of formal drawings  
including corrected Figs. 5B, 6 and 9, which should replace the  
corresponding sheets presently on file. The attached sheets of  
corrected formal drawings include the proposed drawing correction  
filed in parent application Serial No. 09/532,818 and which was  
approved by the Examiner in said parent application.

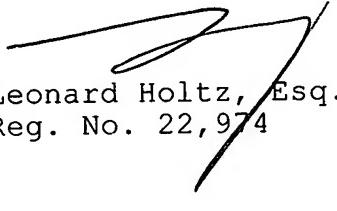
Fig. 5B has been amended as indicated in red on the  
accompanying copy thereof to change reference numeral "36"  
to --36b--.

Figs. 6 and 9 have been amended as indicated in red on the  
accompanying copies thereof to reverse the proportional areas of

each of the black-colored light blocking areas and white colored light-transmitting areas in sections 62a and 64a, respectively.

It is respectfully submitted that this submission is in full compliance with all outstanding Patent Office drawing requirements. Approval and entry of the corrected sheets of formal drawings submitted herewith is respectfully requested.

Respectfully submitted,

  
Leonard Holtz, Esq.  
Reg. No. 22,974

Encl.:

Two (2) sheets corrected  
formal drawing

Dated: February 27, 2002

Frishauf, Holtz, Goodman, Langer & Chick, P.C.  
767 Third Avenue - 25th Floor  
New York, New York 10017-2023  
Tel. No. (212) 319-4900  
Fax No. (212) 319-5101  
LH/sdf  
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